



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Goldberg, et al.

Serial No: 10/050,686

Filed: January 16, 2002

For: *Compositions and Methods for  
Treatment of Muscle Wasting*

Examiner: To be assigned

Art Unit: 1646

Attorney Docket No. HMV-070.01

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327, on August 8, 2002.

*Kristen Willett*  
Kristen Willett

**RESPONSE TO REQUEST FOR SUBSTITUTE PAPERS**


Dear Sir:

Enclosed herewith is a response to the Request for Substitute Papers dated July 18, 2002. In response to the Request, enclosed is a complete and accurate copy of papers filed on May 20, 2002 including a diskette with the Sequence Listing, and a signed and dated copy of the Request for Substitute Papers. For completeness, we have also enclosed a complete and accurate copy of papers filed on June 7, 2002.

No fee is believed to be due in connection with this filing. However, if there is any further fee due, or if any refund is owed, please charge/credit our Deposit Account No. 06-1448.

Respectfully submitted,

Patent Group  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210  
Telephone: (617) 832-1000  
Facsimile: (617) 832-7000  
Customer ID No. 25181

By:   
Isabelle M. Clauss, Ph.D.  
Reg. No. 47,326  
Attorney for Applicants

Dated: August 8, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20531  
 www.uspto.gov

Application Number	Filing Date	First Named Applicant	Atty. Docket No.
10/050,686	01/16/2002	Goldberg, Alfred	HMV-070.01

25181  
 FOLEY HOAG LLP  
 PATENT GROUP  
 155 SEAPORT BOULEVARD  
 BOSTON MA 02110

*Request for Substitute Papers*  
**DOCKETED**  
**DUE: 8.8.02**

**Title:** Compositions and methods for treatment of muscle wasting

Date Mailed: 07/18/2002

## Request for Substitute Papers

The papers filed on 06/05/02 (certificate of mailing dated 05/20/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated ~~703-746-1195~~. **703-746-9195**

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely replay to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: Isabelle M. Clauss, Ph.D. Registration No.: 47,326

Signature: *I. Clauss* Date: 8/7/02

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DOCKETING

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AUG 19 2002

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U.S. Patent Application No. 10/050,686

Atty Docket No. HMV-070.01

Applicant(s): Goldberg, et al.

Title: *COMPOSITIONS AND METHODS FOR TREATMENT OF MUSCLE WASTING*

The following was/were received in the U.S. Patent & Trademark Office mail room on the date stamped hereon:

1. A copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Supplemental Response to Notice to File Missing Parts (2 pages);
3. Substitute Drawings - Figures 1 - 5 (5 pages);
4. Preliminary Amendment (3 pages);
5. Petition for a Two-Month Extension of Time (2 pages);
6. Check in the amount of \$145.00 for extension of time; and
7. Return receipt postcard.



Atty: IMC

Mailing Date: June 17, 2002



**PATENT GROUP  
FOLEY HOAG LLP  
155 SEAPORT BOULEVARD  
BOSTON, MASSACHUSETTS 02110**

**JUN 25 2002**

**PATENT DEPT.  
DOCKETING**



☐ FOLEY HOAG LLP

INVOICE #	DATE	CLIENT/CASE	AMOUNT
06072002	06/07/02	19788 07001	145.00
DATE: 06/07/02		CHECK #: 300252	TOTAL: 145.00

AN ARTIFICIAL WATERMARK IS PRESENT ON THE REVERSE SIDE

**FOLEY HOAG LLP**  
 55 SEAPORT BOULEVARD  
 BOSTON, MASSACHUSETTS 02110

**300252**

ONE HUNDRED FORTY-FIVE AND 00/100 DOLLARS

ASSISTANT SECRETARY OF REVENUE, INC.

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*Signature*

DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

300252 2110701751 1133945169

**FOLEY  
HOAG LLP**  
ATTORNEYS AT LAW



June 7, 2002

Isabelle M. Clauss, Ph.D., J.D.  
Boston Office  
617.832.1177  
iclauss@foleyhoag.com

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application No: 10/050,686  
Entitled: *Compositions and Methods for Treatment of Muscle Wasting*  
Filed: January 16, 2002  
By: Alfred L. Goldberg, et al.  
Atty Ref: H MV-070.01

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. A copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Supplemental Response to Notice to File Missing Parts (2 pages);
3. Substitute Drawings - Figures 1 - 5 (5 pages);
4. Preliminary Amendment (3 pages);
5. Petition for a Two-Month Extension of Time (2 pages);
6. Check in the amount of \$145.00 for extension of time; and
7. Return receipt postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

Certificate of First Class Mailing	
<p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below:</p> <p><u>June 7, 2002</u> Date</p> <p><i>Kristen Willett</i></p>	<p>Respectfully submitted, FOLEY, HOAG &amp; ELIOT LLP</p> <p><i>IClauss</i> Isabelle M. Clauss, Ph.D. Reg. No. 47,326 Attorney for Applicants Customer ID No. 25181</p>

20/507179.1

BOSTON / 155 Seaport Boulevard / Boston, Massachusetts 02210 / TEL: 617.832.1000 / FAX: 617.832.7000  
WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20006 / TEL: 202.223.1200 / FAX: 202.785.6687  
Foley Hoag LLP

www.foleyhoag.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Goldberg, et al.	Examiner: To be assigned
Serial No: 10/050,686	Art Unit: 1646
Filed: January 16, 2002	Attorney Docket No. HMV-070.01
For: <i>Compositions and Methods for Treatment of Muscle Wasting</i>	

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 7, 2002.

*Kristen Willett*

SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

Enclosed herewith is a supplemental response to the Notice to File Missing Parts dated February 20, 2002 (a partial response to which was filed on May 20, 2002). In order to complete the response to the Notice, enclosed are the requested Substitute Drawings.

Also enclosed is a check in the amount of \$145.00 for the two-month extension of time (\$200.00 for the two-month extension of time less the \$55.00 previously paid with the one-month extension of time). No further fee is believed to be due in connection with this filing. However, if there is any further fee due, or if any refund is owed, please charge/credit our Deposit Account No. 06-1448.

Respectfully submitted,

Patent Group  
FOLEY HOAG, LLP  
155 Seaport Boulevard  
Boston, MA 02210  
Telephone: (617) 832-1000  
Facsimile: (617) 832-7000  
Customer ID No. 25181

By: *I. Clauss*  
Isabelle M. Clauss, Ph.D.  
Reg. No. 47,326  
Attorney for Applicants

Dated: June 7, 2002



GP 1646



**FOLEY  
HOAG LLP**  
ATTORNEYS AT LAW



August 8, 2002

Isabelle M. Clauss, Ph.D., J.D.  
Boston Office  
617.832.1177  
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Box Duplicate OIPE  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202-2327

Re: U.S. Patent Application No.: 10/050,686  
Entitled: *Compositions and Methods for Treatment  
of Muscle Wasting*  
Filed: January 16, 2002  
By: Goldberg, et al.  
Atty Ref: HMV-070.01

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. Response to Request for Substitute Papers (3 pages);
2. Copy of Papers Filed on June 5, 2002 (36 pages) plus Electronic Copy of Sequence Listing;
3. Copy of Papers Filed on June 17, 2002 (17 pages); and
4. Return Postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

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WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20006 / TEL: 202.223.1200 / FAX: 202.785.6687  
Foley Hoag LLP [www.foleyhoag.com](http://www.foleyhoag.com)

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## UNITED STATES PATENT AND TRADEMARK OFFICE

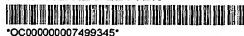
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,686	01/16/2002	Alfred L. Goldberg	HMV-070.01

CONFIRMATION NO. 5117

25181  
FOLEY, HOAG & ELIOT, LLP  
PATENT GROUP  
ONE POST OFFICE SQUARE  
BOSTON, MA 02109

## FORMALITIES LETTER



\*0C000000007499345\*

Date Mailed: 02/20/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$983.
  - \$423 for 47 total claims over 20.
  - \$420 for 10 independent claims over 3.
  - \$140 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1418.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings contain excessive text. Suitable descriptive legends may be used, required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

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2/25/02 B.H.  
FEB 25 2002PATENT DEPT.  
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63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE